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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,039	07/12/2001	Gary A. Demos	07314-013001	2223

20985 7590 07/17/2003  
FISH & RICHARDSON, PC  
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SAN DIEGO, CA 92122

EXAMINER

LEE, Y YOUNG

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 07/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/905,039

Applicant(s)

Gary A. Demos

Examiner

Y. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 25, 2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-87 is/are pending in the application.
- 4a) Of the above, claim(s) 1-7, 16-36, 45-65, and 74-87 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-15, 37-44, and 66-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6 6) ☐ Other:

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicant's election without traverse of Figure 2, claims 8-15, 37-44, and 66-73 in Paper No. 8 is acknowledged.
2. Claims 1-7, 16-36, 45-65, and 74-87 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected embodiment, there being no allowable generic or linking claim. Election was made without traverse in Paper No. 8.

### ***Specification***

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

4. Claim 44 is objected to because of the following informalities: line 1, "14" should be changed to --41--. Appropriate correction is required.

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***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 8-10, 12-14, 37-39, 41-43, 66-68, and 70-72 are rejected under 35 U.S.C. 102(b) as being anticipated by Yanagihara (5,374,958).

Yanagihara, in Figures 1, 11, 13, and 14, discloses the same method for reducing chroma noise during compression of a color video image in a YUV video image compression system (Fig. 1) utilizing a quantization parameter (QP) during compression as specified in claims 8-10, 12-14, 37-39, 41-43, 66-68, and 70-72 of the present invention, including utilizing a first QP value (e.g. compression resolution) for the Y color channel of a color video image, and a second QP value for at least one of the U and V color channels of the color video image, wherein the second QP value is less than the first QP value (i.e. lower resolution).

With respect to claims 9, 10, 13, 14, 38, 39, 42, 43, 67, 68, 71, and 72, Yanagihara also discloses that the second QP value is determined by applying a bias value (e.g. SQ) to the first QP value; and compressing the color video image (Fig. 11), after application of the first and second QP values, to a compressed output image 13.

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***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11, 15, 40, 44, 69, and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagihara.

It is noted Yanagihara differs from the present invention in that it fails to particularly disclose any decompression details as specified in claims 11, 15, 40, 44, 69, and 73 of the present invention. However, Examiner takes Official Notice that such feature is notoriously well known in the art since one of ordinary skill in the art would have had no difficulty in recognizing that the entire process of decompressing and decoding any compressed and coded signal is merely the reverse procedure of the encoding process. Furthermore, it should be self evident to one skilled in the art from the teaching of Yanagihara that the YUV video image compression system is an art-recognized equivalent structure to a YUV video image decompression system and is designed to be used along with a similar but in reverse sequence decompression system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, having the reference of Yanagihara before him/her, to flexibly apply the reverse processing steps of YUV video image compression of Yanagihara in a similarly designed

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decompression system by decompressing the compressed output image 13 using the first and second QP values to obtain an uncompressed video image, in order to be able to accurately decode any video signal that was compression encoded using the same compression coding technique.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gonzales et al discloses a motion video compression system with adaptive bit allocation and quantization.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label


"PROPOSED" or "DRAFT")

**Or:**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (703) 308-7584.



**Y. LEE**  
**PRIMARY EXAMINER**

Y. Lee/yl  
July 14, 2003